IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

Bail Appl..No. 2839 of 2007()

CRIME NO.3/2007 OF MANATHAVADY POLICE STATION

: PETITIONER

THOMAS ANTONY, S/O.ANTONY,
AGED 49 YEARS, THURUTHINGAL HOUSE,
PERIYA 39, VALLITHODU, VARAYIL DESOM,
PERIYA VILLAGE, MANATHAVADY TALUK,
WYANAD DISTRICT.

BY ADV. SRI.B.N.SHIVSANKAR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE EXCISE INSPECTOR,
MANATHAVADY.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2839/2007

Dated this 23rd day of May, 2007

O R D E R

The petitioner who is the third accused in Crime No.3/2007 of Mananthavady police station for an offence punishable under Section 55(a) of the Abkari Act for allegedly transporting 34.910 litres of IMFL in an autorikshaw on 13.2.2007, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly if the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of preferably on the same day on which it is filed, bearing in

mind the decision in **Sukumari v. State of Kerala (2001 (1) KLT 22).**

With the above observation this Application is disposed of.

V.RAMKUMAR,
JUDGE

mrcs